

Minutes of a Regular Meeting of the La Mesa City Council  
Tuesday, May 14, 2019 at 6:00 p.m.  
City Council Chambers, 8130 Allison Avenue, La Mesa, California

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The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting.

The Agenda Items were considered in the order presented.

Mayor Arapostathis called the meeting to order at 6:00 p.m.

**ROLL CALL**

PRESENT: Mayor Arapostathis; Vice Mayor Parent; Councilmembers Alessio, Baber, and Weber.

ABSENT: None.

STAFF: City Manager Garrett; City Attorney Sabine; City Clerk Wiegelman; Assistant City Manager Humora.

**INVOCATION – MAYOR ARAPOSTATHIS**

**PLEDGE OF ALLEGIANCE**

**REPORT FROM CLOSED SESSION – CITY ATTORNEY**

City Attorney Sabine announced there were no reportable actions for Closed Session Items 1 and 2, and Item 3 was removed from the agenda.

**CITY MANAGER COMMENTS**

There were no comments.

**COMMUNITY BULLETIN REPORTS**

The Mayor, Council and staff made announcements and reported on various events taking place in the City. No action was taken.

## **PRESENTATIONS**

### **PRESENTATION FROM LA MESA FAIR TRADE**

La Mesa Fair Trade Co-Founder Anne Pacheco presented the Fair Trade Towns USA Declaration to Mayor Arapostathis who accepted the Declaration on behalf of the City of La Mesa.

### **PROCLAIMING MAY AS POPPY MONTH**

Councilmember Weber presented the proclamation to Julie Fox, President of the La Mesa American Legion Auxiliary Unit 282.

Julie Fox, President of the La Mesa American Legion Auxiliary Unit 282, provided background on the American Legion Auxiliary, read the story of the poppy, and thanked the Mayor and Council for recognizing May as Poppy Month.

### **PROCLAIMING MAY AS OLDER AMERICANS MONTH**

Mayor Arapostathis presented the proclamation to Community Services Director Richardson and Bob Prath, Chair of AARP California Livable Communities Advisory Team.

Community Services Director Richardson encouraged community members to attend the Community Action Planning Sessions scheduled for May 15, 2019 and May 22, 2019.

Bob Prath, Chair of AARP California Livable Communities Advisory Team, presented the AARP Network of Age-Friendly Communities Certificate to Mayor Arapostathis and Community Services Director Richardson who accepted the Certificate on behalf of the City of La Mesa.

### **PROCLAIMING MAY 19 – 25, 2019 AS NATIONAL PUBLIC WORKS WEEK**

Councilmember Alessio presented the proclamation to Public Works Director Leja and Administrative Coordinator Noemi Becerra.

### **BUDGET MONITORING REPORT**

Finance Director Waller-Bullock reported on the national, state and local economic outlook, state budget issues, the performance of the City's General Fund and Proposition L benchmarks for the quarter ending March 31, 2019.

### **CITY TREASURER'S QUARTERLY REPORT**

City Treasurer Vogt made a presentation regarding the investment earnings for the quarter ending March 31, 2019.

Following Council questions, no action was taken.

**ADDITIONS AND/OR DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda

**PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)**

Wei Tan Holt spoke regarding the La Mesa Village Farmers’ Market.

Lois Knowlton, resident, spoke regarding affordable housing for seniors.

**CONFLICT DISCLOSURES**

Vice Mayor Parent announced he would be recusing himself for Item 8 because he has a potential conflict of interest since his fiancé’s father’s firm is a consultant for the Alvarado Specific Plan project.

**BOARD AND COMMISSION APPOINTMENTS**

**1. RESOLUTION APPOINTING A MEMBER TO THE YOUTH ADVISORY COMMISSION**

Mayor Arapostathis nominated Rhys Aiem for appointment to the Youth Advisory Commission.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Baber to approve the appointment of Rhys Aiem to the Youth Advisory Commission and adopt the resolution confirming the appointment.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber

No: None

Abstained: None

Absent: None

Motion passed. Resolution No. 2019-040 was adopted.

**2. RESOLUTION APPOINTING MEMBERS TO THE CITY COUNCIL’S CITIZENS TASK FORCE ON HOMELESSNESS**

The Council Homeless Subcommittee made up of Mayor Arapostathis and Vice Mayor Parent nominated Stephanie Murphy, Mary Kate Miller, Jack Major, Megan Dunn, Joanne Cattani, Bonnie Baranoff, and Wayne Anderson for appointment to the City Council’s Citizens Task Force on Homelessness.

The Mayor and Council expressed their appreciation for all of the residents who submitted an application to serve on the City Council’s Citizens Task Force on Homelessness.

**ACTION:** Motioned by Mayor Arapostathis and seconded by Vice Mayor Parent to approve the appointments of Stephanie Murphy, Mary Kate Miller, Jack Major, Megan Dunn, Joanne Cattani, Bonnie Baranoff, and Wayne Anderson to the City Council's Citizens Task Force on Homelessness and adopt the resolution confirming the appointments.

**Vote:** 5-0

**Yes:** Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber

**No:** None

**Abstained:** None

**Absent:** None

Motion passed. Resolution No. 2019-041 was adopted.

### **CONSENT CALENDAR**

(Items 3 through 10)

**3. APPROVAL OF MOTION TO WAIVE THE READING OF THE TEXT OF ALL ORDINANCES AND RESOLUTIONS AT THIS MEETING**

Approved.

**4. APPROVAL OF THE MINUTES FOR THE CITY COUNCIL SPECIAL MEETING HELD TUESDAY, APRIL 23, 2019**

Approved.

**5. APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETING HELD TUESDAY, APRIL 23, 2019**

Approved.

**6. RESOLUTION APPOINTING THE SAN DIEGO GAS AND ELECTRIC REPRESENTATIVE TO THE ENVIRONMENTAL SUSTAINABILITY COMMISSION**

Resolution No. 2019-042 was adopted.

**7. RESOLUTION TEMPORARILY CLOSING A PORTION OF LA MESA CITY STREETS FOR A CITY SPONSORED EVENT ON JUNE 1, 2019**

Resolution No. 2019-043 was adopted.

**8. REMOVED.**

**9. RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE FY18 STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP) – URBAN AREA SECURITY INITIATIVE (UASI) GRANT OF \$41,073**

Resolution No. 2019-044 was adopted.

**10. RESOLUTION AWARDING TASK ORDER NO. 1 TO HARRIS AND ASSOCIATES FOR WASTEWATER UTILITY BILLING, ANNUAL ADMINISTRATION AND RELATED SERVICES**

Resolution No. 2019-045 was adopted.

ACTION: Motioned by Councilmember Baber and seconded by Councilmember Alessio to approve Consent Calendar Items 3 through 10, except for Item 8.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber

No: None

Abstained: None

Absent: None

Motion passed.

**8. RESOLUTION TO INCREASE THE PLANNING DIVISION BUDGET AND APPROPRIATE FUNDS ON DEPOSIT FOR PROCESSING THE ALVARADO SPECIFIC PLAN**

Vice Mayor Parent recused himself for Item 8 because he has a potential conflict of interest under Government Code Section 87100 because his fiancé's father's firm is a consultant for the Alvarado Specific Plan project. Vice Mayor Parent left the dais at 6:45 p.m.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Alessio to adopt the Resolution to increase the Planning Division Budget and appropriate funds on deposit for processing the Alvarado Specific Plan.

Vote: 4-0-1

Yes: Mayor Arapostathis, Councilmember Alessio, Councilmember Baber, and Councilmember Weber

No: None

Abstained: Vice Mayor Parent

Absent: None

Motion passed.

Resolution No. 2019-046 was adopted.

Vice Mayor Parent returned to the dais at 6:46 p.m.

**ORDINANCE: SECOND READING**

**11. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF LA MESA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

City Attorney Sabine read the title of the Ordinance.

ACTION: Motioned by Councilmember Baber and seconded by Mayor Arapostathis to approve the second reading and adoption of the Ordinance authorizing a second amendment to the contract between the City Council of the City of La Mesa and the Board of Administration of the California Public Employees' Retirement System (CalPERS), to provide a mandatory employee contribution of an additional .5% of salary as provided under Government Code Section 20516(a) applicable to all Classic CalPERS unrepresented employees and all Classic CalPERS La Mesa City Employees' Association (LMCEA) members to become effective July 12, 2019.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber  
No: None  
Abstained: None  
Absent: None

Motion passed. Ordinance No. 2019-2868 was adopted.

**STAFF REPORT**

**12. CONSIDERATION AND APPOINTMENT OF A COUNCILMEMBER TO THE SWEETWATER RIVER WATERSHED ADVISORY PANEL**

City Manager Garrett stated that the City received a request from the San Diego River Conservancy to appoint a representative to the newly formed Sweetwater River Watershed Advisory Panel and provided a brief overview of the purpose of the Advisory Panel.

ACTION: Motioned by Councilmember Baber and seconded by Mayor Arapostathis to appoint Councilmember Alessio as the City's representative on the Sweetwater River Watershed Advisory Panel.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber  
No: None  
Abstained: None  
Absent: None

**HEARING/ORDINANCE: FIRST READING**

**13. CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AMENDING SECTION 17.12 OF THE LA MESA MUNICIPAL CODE TO ADJUST THE SCHEDULE OF SEWER SERVICE CHARGES FOR FISCAL YEAR 2020 AND FISCAL YEAR 2021**

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and at the time specified in the notice.

Mayor Arapostathis opened the hearing for Item 13 at 6:49 p.m.

Public Works Director Leja provided background information about the City's sewer system and the Wastewater Fund expenditures and revenues. Mr. Leja stated that the proposed sewer rate increases are necessary to: (1) meet the increased costs of the Pure Water Program; (2) meet the minimum fund reserve balance per City requirements; (3) meet the State Revolving Fund (SRF) debt ratio requirements; (4) continue the balanced capital investment to replace critical infrastructure; and (5) meet the maintenance and operational needs to minimize spills. Public Works Director Leja spoke about the Proposition 218 process and said 123 protest letters were received. Public Works Director Leja said staff recommended the Council approve the proposed sewer rate increase of 5.25 percent in Fiscal Year 2020 and 5.5 percent in Fiscal Year 2021 and approve the introduction and first reading of the Ordinance amending Chapter 17.12 of the La Mesa Municipal Code to adjust sewer service rates for Fiscal Year 2020 and Fiscal Year 2021.

A discussion ensued between Council and staff regarding the Wastewater Fund expenditure line item for insurance support services, the projected balance of the Wastewater Fund, payment assistance programs, the reason sewer charges are determined by water usage and the potential consequences if the sewer rate adjustments were not approved.

ACTION: Motioned by Vice Mayor Parent and seconded by Councilmember Baber to close the hearing since there was no one in the audience who wished to speak.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber

No: None

Abstained: None

Absent: None

Motion passed.

ACTION: Motioned by Vice Mayor Parent and seconded by Mayor Arapostathis to approve the proposed sewer rate increase of 5.25 percent in Fiscal Year 2020 and 5.5 percent in Fiscal Year 2021 and approve the introduction and first reading of the Ordinance amending Section 17.12 of the La Mesa Municipal Code to adjust the schedule of sewer service charges for Fiscal Year 2020 and Fiscal Year 2021.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber

No: None

Abstained: None

Absent: None

Motion passed.

## **HEARING**

### **14. CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT CUP 17-96 (JUSTICE IS COMING, LLC) – A REQUEST FOR A MEDICAL MARIJUANA DISPENSARY PROPOSED AT 8760 CAMPO ROAD, IN THE GENERAL COMMERCIAL / SCENIC PRESERVATION OVERLAY (C-P) ZONE**

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and at the time specified in the notice.

Mayor Arapostathis opened the hearing for Item 13 at 7:06 p.m.

Community Development Director Kusiak provided a PowerPoint presentation regarding the Measure U dispensary requirements, the property of the proposed medical marijuana dispensary, and the proposed project's compliance with Measure U. Mr. Kusiak reviewed the approval process and explained the reason for the appeal. Community Development Director Kusiak said staff recommended the Council deny the appeal and uphold the Planning Commission's approval of Conditional Use Permit CUP 17-96, subject to conditions set forth in Planning Commission Resolution No. PC-2019-02.

The following members of the audience spoke in opposition to the proposed project and in support of the appeal:

Gina Austin, appellant representative  
Quintin Shamman, appellant  
Brianna Coston  
Marvin Attiq  
Dave Gash

The following members of the audience spoke in support of the proposed project and in opposition to the appeal:

Abhay Schweitzer, applicant  
Jessica McElfresh, applicant representative  
Jim Bartell

Council questions and comments ensued.

**ACTION:** Motioned by Vice Mayor Parent and seconded by Councilmember Alessio to close the hearing since there was no one else in the audience who wished to speak.

**Vote:** 5-0

**Yes:** Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber

**No:** None

**Abstained:** None

**Absent:** None

Motion passed.

**ACTION:** Motioned by Vice Mayor Parent and seconded by Councilmember Weber to deny the appeal and uphold the Planning Commission's approval of Conditional Use Permit CUP 17-96, subject to conditions set forth in Planning Commission Resolution No. PC-2019-02.

**Vote:** 5-0

**Yes:** Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber

**No:** None

**Abstained:** None

**Absent:** None

Motion passed.

### **COUNCIL COMMITTEE REPORTS (3 MINUTE LIMIT)**

The Mayor and Council reported on various outside boards, commissions and committee meetings they attended. No action was taken.

### **AB 1234 REPORTS (GC 53232.3(d))**

There were no reports.

### **CITY ATTORNEY REMARKS**

There were no remarks.

### **ADJOURNMENT**

Mayor Arapostathis adjourned the meeting at 8:09 p.m.

Megan Wiegelman, CMC  
City Clerk